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2 BILL NO. X-89-06-31 (AS AMENDED)
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4 ANNEXATION ORDINANCE NO. X- 02-89
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AN ORDINANCE repealing Annexation
Ordinance No. X-04-79, as amended by
Annexation Ordinance No. X-02-80 and
Annexation Ordinance No. X-04-81
("Blackhawk Annexation Territory")

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That Annexation Ordinance No. X-04-79, as
amended by Annexation Ordinance No. X-02-80 and as further
amended by Annexation Ordinance No. X-04-81, is hereby
repealed. Said Ordinance, as amended as amended, proposed to
annex the following territory:

Commencing at the intersection of the
centerline of section 33, T 31, R 13 E and
the north right-of-way line of Hicksville
Road (East State Boulevard); thence
northeasterly along the north right-of-way
line of Hicksville Road (East State
Boulevard) this line also being the
present corporation limits, to the east
line of the northwest 1/4 of section 34, T
31 N, R 13 E; thence South along said east
line of northwest 1/4 of section 34
(assumed to be the northerly projection of
west line of lot #2 in Browning
Subdivision of Kercheval Reserve) to the
northwest corner of lot #2 in Browning
Subdivision of Kercheval Reserve as
recorded in deed book W, pages 387-388;
thence continuing in a southerly direction
along the west line of said lot # 2 in
Browning Subdivision to a point located
262.68 ± feet north of the southwest
corner of said lot #2 in Browning
Subdivision, said point more particularly
described as being the northwest corner of
lot #77 of Lake Forest Extended, Section
III as recorded in plat book 33, pages 19-
20; thence east on a line parallel to and
262.68 ± feet north of the south line of
Lots 1 & 2 of said Browning Subdivision to
the westerly right-of-way line of
Maysville Road (Lake Avenue) thence
southwesterly on the west right-of-way of
Maysville Road to the west line of said
Kercheval Reserve; thence in an easterly
direction along the north right-of-way
line of North River Road to east line of
Kercheval Reserve; thence north along the
east line of Kercheval Reserve to the
north line of Valley Meadows Section III;
thence west along the north line of Valley
Meadows Section III to the east right-of-
way of Maysville Road; thence
northeasterly along the east right-of-way
line of the Maysville to the south right-
of-way line of Hicksville Road (East State

1 Street); thence west along the south
2 right-of-way line of Hicksville Road to a
3 projection of the west right-of-way line
4 of the Lahmeyer Road; thence north along
5 said west right-of-way line of Lahmeyer
6 Road to the south right-of-way line of
7 Trier Road; thence west along south right-
8 of-way line of Trier Road to centerline of
9 section 33, T 31 N, R 13 E, thence south
10 on said centerline section 33 to
11 intersection of north right-of-way line of
12 Hicksville Road the point of beginning.
13 An area of approximately 800 acres.
14

15 Excluding therefrom:

16 Part of the Northeast Quarter of Section
17 33 Township 31 North Range 13 East Allen
18 County, Indiana more particularly
19 described as follows:

20 Beginning at the Southwest corner of the
21 Northeast Quarter of said Section 33 said
22 point being in the centerline of State
23 Street; thence North 01 degrees 00 minutes
24 44 seconds East (assumed) along the West
25 Line of said Northeast Quarter a distance
26 of 1,398.00 feet; thence Northeasterly
27 40.38 feet along a curve deflecting to the
28 right having a radius of 250 feet not
29 tangent to the last course being subtended
30 by a chord having a length of 40.33 feet
31 and a bearing of North 47 degrees 35
32 minutes 56 seconds East; thence South 20
degrees 19 minutes 06 seconds East on a
line not tangent to the last described
curve course a distance of 179.86 feet;
thence South 55 degrees 30 minutes 34
seconds East a distance of 151.26 feet;
thence South 18 degrees 50 minutes 45
seconds East a distance of 194.66 feet;
thence South 53 degrees 42 minutes 32
seconds West a distance of 191.95 feet;
thence South 25 degrees 02 minutes 41
seconds East a distance of 244.70 feet;
thence South 64 degrees 40 minutes 30
seconds East a distance of 284.41 feet;
thence North 85 degrees 44 minutes 04
seconds East a distance of 178.14 feet;
thence North 60 degrees 34 minutes 35
seconds East a distance of 262.24 feet;
thence South 36 degrees 54 minutes 22
seconds East a distance of 205.21 feet;
thence South 65 degrees 10 minutes 34
seconds West a distance of 28.25 feet;
thence South 26 degrees 11 minutes 16
seconds West a distance of 131.58 feet;
thence South 29 degrees 55 minutes 08
seconds West a distance of 338.12 feet;
thence South 01 degrees 07 minutes 22
seconds West a distance of 40.99 feet to a
point on the centerline of State Street;
thence along the centerline of State
Street by the following described courses;
South 78 degrees 45 minutes 54 seconds
West a distance of 120.60 feet; thence
Southwesterly 296.00 feet along a curve
having a radius of 1,388.23 feet
deflecting to the right and tangent to the
last described course being subtended by a
chord having a length of 295.44 feet and a

1 bearing of South 84 degrees 52 minutes 24
2 seconds West; thence North 89 degrees 01
3 minutes 06 seconds West along a line
4 tangent to the last described curve course
5 a distance of 374.09 feet to the point of
beginning, being subject to public road
right-of-way of State Street and
containing 15.50 acres, more or less.

6 ALSO EXCLUDING THEREFROM:

7 In the East Half of the Northeast Quarter
8 of Section 33, T 31 N, R 13 E, Allen
9 County, Indiana.

10 Part of the Northeast quarter of Section
11 33, T 31 N, R 13 E, Allen County Indiana,
12 more particularly described as follows:
13 commencing at the Northeast corner of the
14 Northeast quarter of Section 33, T 31 N, R
15 13 E, Allen County, Indiana: thence South
16 00 degrees 46 minutes 00 seconds West
17 along the East line of the Northeast
18 quarter of said Section 33 a distance of
19 1229.0 feet to the point of beginning;
20 thence continuing South 00 degrees 46
21 minutes 00 seconds West along said East
22 line a distance of 378.0 feet to the
23 Northeast corner of a parcel of land
24 conveyed to Gilbert L. White and Paulene
25 A. White husband and wife from Arlington
26 Investment Corp., by warranty deed dated
27 April 15, 1971, and recorded as document
28 #71 5913 in the Office of the Recorder of
29 Allen County; thence South 87 degrees 57
30 minutes 47 seconds West (South 88 degrees
31 02 minutes West deed) along the Northerly
32 line of the White parcel a distance of
33 336.0 feet; thence South 00 degrees 46
34 minutes 00 seconds West along the West
35 line of the White Parcel and the Southerly
36 extension thereof a distance of 216.0 feet
37 to a point on the Northerly line of Lehman
38 Homestead Addition, a subdivision in the
39 aforementioned Section, Township, and
40 Range and recorded in plat book 21 page 27
41 Office of the Recorder of Allen County,
42 Indiana; thence South 87 degrees 57
43 minutes 47 seconds West along said
44 Northerly line and the Westerly extension
45 thereof a distance of 937.30 feet to a
46 point on the East line of an Indiana and
47 Michigan Electric Company right-of-way,
48 said east right-of-way line being situated
49 60 feet East (by right angle measurement)
50 of and parallel with the West line of the
51 East half of the Northeast quarter of
52 Section 33 aforementioned; thence
53 continuing South 01 degrees 04 minutes 30
54 seconds West along said right-of-way line
55 a distance of 94.26 feet; thence South 67
56 degrees 37 minutes 34 seconds West a
57 distance of 209.59 feet; thence South 80
58 degrees 03 minutes 41 seconds West a
59 distance of 70.0 feet; thence South 66
60 degrees 00 minutes 34 seconds West a
61 distance of 71.66 feet; thence South 65
62 degrees 10 minutes 40 seconds West a
63 distance of 43.75 feet to the Easterly
64 most corner of the property conveyed from

North Eastern Enterprises, Inc., to Hardware Wholesalers, Inc., as recorded in document #80 14066 in the Office of the Recorder of Allen County; thence North 36 degrees 54 minutes 22 seconds West along the Northeasterly side of said property a distance of 205.21 feet to the Southeast Corner of Block "B" in the Village of Buckingham Section I as recorded in document #80 014047 in the Office of the Recorder of Allen County; thence North 52 degrees 37 minutes 36 seconds East a distance of 385.03 feet; thence South 88 degrees 55 minutes 30 seconds East a distance of 190.00 feet to the East line of said Indiana and Michigan Electric Co., right-of-way; thence North 01 degrees 04 minutes 30 seconds East along said East right-of-way line 495 feet to the Southwest corner of Lot #18 in the Hollows Section 1 as recorded in document # 78 17214 in the Office of the Recorder of Allen County; thence South 89 degrees 13 minutes 00 seconds East along the South line of the Hollows a distance of 815.00 feet; thence North 63 degrees 19 minutes 20 seconds East continuing along said South line a distance of 145.00 feet to the Southwest corner of Lot # 5 in the Hollows; thence leaving said South line South 26 degrees 58 minutes 46 seconds East a distance of 75.36 feet; thence South 89 degrees 22 minutes 48 seconds East a distance of 289.48 feet to the point of beginning containing 19.52 acres, more or less, and subject to a 40 foot right-of-way for Maplecrest Road over the Easterly portion thereof, said right-of-way being described in right-of-way widening petition contained in Commissioner's Record Book 36 page 536.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and any required legal publication thereof.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Long,
seconded by Henry, and duly adopted, read the second time by
title and referred to the Committee on Annexation and the
City Plan Commission for recommendation, and Public hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building,
Fort Wayne, Indiana, on 19, the 19 o'clock M., E.S.T.
of 1989

DATED: 6-27-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long,
seconded by Salaried, and duly adopted, placed on its
passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>			
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>ED MONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>STIER</u>				
<u>TALARICO</u>	<u>✓</u>			

DATED: 7-11-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. X-02-89
on the 11th day of July, 1989,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL

Paula S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 12th day of July, 1989,
at the hour of 1:30 o'clock M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of July,
1989, at the hour of 3:30 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

1 BILL NO. X-89-06-31

2

3 ANNEXATION ORDINANCE NO. X-

4 AN ORDINANCE repealing Annexation
5 Ordinance No. X-04-81

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
7 FORT WAYNE, INDIANA:

8 SECTION 1. That the Annexation Ordinance No. X-04-81
9 is hereby repealed. Said Ordinance proposed to annex the
following territory:

10 Commencing at the intersection of the
11 centerline of section 33, T 31, R 13 E and
12 the north right-of-way line of Hicksville
13 Road (East State Boulevard); thence
14 northeasterly along the north right-of-way
15 line of Hicksville Road (East State
16 Boulevard) this line also being the present
17 corporation limits, to the east line of the
18 northwest 1/4 of section 34, T 31 N, R 13 E;
19 thence South along said east line of
20 northwest 1/4 of section 34 (assumed to be
21 the northerly projection of west line of lot
22 #2 in Browning Subdivision of Kercheval
23 Reserve) to the northwest corner of lot #2 in
24 Browning Subdivision of Kercheval Reserve as
25 recorded in deed book W, pages 387-388;
26 thence continuing in a southerly direction
27 along the west line of said lot #2 in
28 Browning Subdivision to a point located
29 262.68 + feet north of the southwest corner
30 of said lot #2 in Browning Subdivision, said
31 point more particularly described as being
32 the northwest corner of lot #77 of Lake
Forest Extended, Section III as recorded in
plat book 33, pages 19-20; thence east on a
line parallel to and 262.68 + feet north of
the south line of Lots 1 & 2 of said Browning
Subdivision to the westerly right-of-way line
of Maysville Road (Lake Avenue) thence
southwesterly on the west right-of-way of
Maysville Road to the west line of said
Kercheval Reserve; thence in an easterly
direction along the north right-of-way line
of North River Road to east line of Kercheval
Reserve; thence north along the east line of
Kercheval Reserve to the north line of Valley
Meadows Section III; thence west along the
north line of Valley Meadows Section III to
the east right-of-way of Maysville Road;
thence northeasterly along the east right-of-
way line of the Maysville to the south right-
of-way line of Hicksville Road (East State
Street); thence west along the south right-
of-way line of Hicksville Road to a
projection of the west right-of-way line of
the Lahmeyer Road; thence north along said
west right-of-way line of Lahmeyer Road to
the south right-of-way line of Trier Road;
thence west along south right-of-way line of
Trier Road to centerline of section 33, T 31
N, R 13 E, thence south on said centerline
section 33 to intersection of north right-of-
way line of Hicksville Road the point of
beginning. An area of approximately 800

acres.
Excluding therefrom:

Part of the Northeast Quarter of Section 33
Township 31 North Range 13 East Allen County,
Indiana more particularly described as
follows:

Beginning at the Southwest corner of the Northeast Quarter of said Section 33 said point being in the centerline of State Street; thence North 01 degrees 00 minutes 44 seconds East (assumed) along the West Line of said Northeast Quarter a distance of 1,398.00 feet; thence Northeasterly 40.38 feet along a curve deflecting to the right having a radius of 250 feet not tangent to the last course being subtended by a chord having a length of 40.33 feet and a bearing of North 47 degrees 35 minutes 56 seconds East; thence South 20 degrees 19 minutes 06 seconds East on a line not tangent to the last described curve course a distance of 179.86 feet; thence South 55 degrees 30 minutes 34 seconds East a distance of 151.26 feet; thence South 18 degrees 50 minutes 45 seconds East a distance of 194.66 feet; thence South 53 degrees 42 minutes 32 seconds West a distance of 191.95 feet; thence South 25 degrees 02 minutes 41 seconds East a distance of 244.70 feet; thence South 64 degrees 40 minutes 30 seconds East a distance of 284.41 feet; thence North 85 degrees 44 minutes 04 seconds East a distance of 178.14 feet; thence North 60 degrees 34 minutes 35 seconds East a distance of 262.24 feet; thence South 36 degrees 54 minutes 22 seconds East a distance of 205.21 feet; thence South 65 degrees 10 minutes 34 seconds West a distance of 28.25 feet; thence South 26 degrees 11 minutes 16 seconds West a distance of 131.58 feet; thence South 29 degrees 55 minutes 08 seconds West a distance of 338.12 feet; thence South 01 degrees 07 minutes 22 seconds West a distance of 40.99 feet to a point on the centerline of State Street; thence along the centerline of State Street by the following described courses; South 78 degrees 45 minutes 54 seconds West a distance of 120.60 feet; thence Southwesterly 296.00 feet along a curve having a radius of 1,388.23 feet deflecting to the right and tangent to the last described course being subtended by a chord having a length of 295.44 feet and a bearing of South 84 degrees 52 minutes 24 seconds West; thence North 89 degrees 01 minutes 06 seconds West along a line tangent to the last described curve course a distance of 374.09 feet to the point of beginning, being subject to public road right-of-way of State Street and containing 15.50 acres. more or less.

ALSO EXCLUDING THEREFROM:

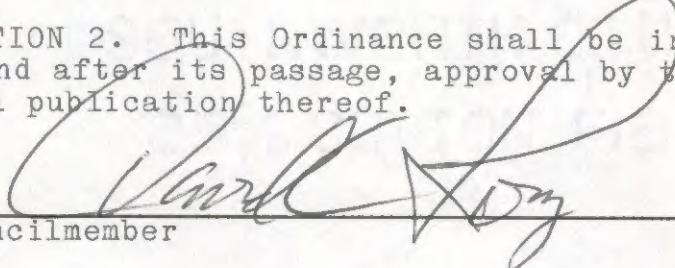
In the East Half of the Northeast Quarter of
Section 33, T 31 N, R 13 E, Allen County,
Indiana.

Part of the Northeast quarter of Section 33,
T 31 N, R 13 E, Allen County Indiana, more
particularly described as follows:

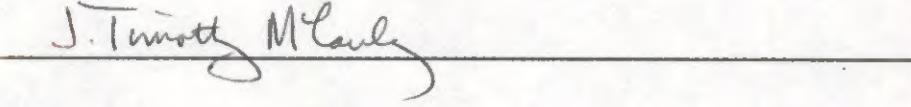
1 Commencing at the Northeast corner of the
2 Northeast quarter of Section 33, T 31 N, R 13
3 E, Allen County, Indiana: thence South 00
4 degrees 46 minutes 00 seconds West along the
5 East line of the Northeast quarter of said
6 Section 33 a distance of 1229.0 feet to the
7 point of beginning; thence continuing South
8 00 degrees 46 minutes 00 seconds West along
9 said East line a distance of 378.0 feet to
10 the Northeast corner of a parcel of land
11 conveyed to Gilbert L. White and Paulene A.
12 White husband and wife from Arlington
13 Investment Corp., by warranty deed dated
14 April 15, 1971, and recorded as document #71
15 5913 in the Office of the Recorder of Allen
16 County; thence South 87 degrees 57 minutes 47
17 seconds West (South 88 degrees 02 minutes
18 West deed) along the Northerly line of the
19 White parcel a distance of 336.0 feet; thence
20 South 00 degrees 46 minutes 00 seconds West
21 along the West line of the White Parcel and
22 the Southerly extension thereof a distance of
23 216.0 feet to a point on the Northerly line
24 of Lehman Homestead Addition, a subdivision
25 in the aforementioned Section, Township, and
26 Range and recorded in plat book 21 page 27
27 Office of the Recorder of Allen County,
28 Indiana; thence South 87 degrees 57 minutes
29 47 seconds West along said Northerly line and
30 the Westerly extension thereof a distance of
31 937.30 feet to a point on the East line of an
32 Indiana and Michigan Electric Company right-
of-way, said east right-of-way line being
situated 60 feet East (by right angle
measurement) of and parallel with the West
line of the East half of the Northeast
quarter of Section 33 aforementioned; thence
continuing South 01 degrees 04 minutes 30
seconds West along said right-of-way line a
distance of 94.26 feet; thence South 67
degrees 37 minutes 34 seconds West a distance
of 209.59 feet; thence South 80 degrees 03
minutes 41 seconds West a distance of 70.0
feet; thence South 66 degrees 00 minutes 34
seconds West a distance of 71.66 feet; thence
South 65 degrees 10 minutes 40 seconds West a
distance of 43.75 feet to the Easterly most
corner of the property conveyed from North
Eastern Enterprises, Inc., to Hardware
Wholesalers, Inc., as recorded in document
#80 14066 in the Office of the Recorder of
Allen County; thence North 36 degrees 54
minutes 22 seconds West along the
Northeasterly side of said property a
distance of 205.21 feet to the Southeast
Corner of Block "B" in the Village of
Buckingham Section I as recorded in document
#80 014047 in the Office of the Recorder of
Allen County; thence North 52 degrees 37
minutes 36 seconds East a distance of 385.03
feet; thence South 88 degrees 55 minutes 30
seconds East a distance of 190.00 feet to the
East line of said Indiana and Michigan
Electric Co., right-of-way; thence North 01
degrees 04 minutes 30 seconds East along said
East right-of-way line 495 feet to the
Southwest corner of Lot #18 in the Hollows
Section 1 as recorded in document # 78 17214
in the Office of the Recorder of Allen
County; thence South 89 degrees 13 minutes 00
seconds East along the South line of the

1 Hollows a distance of 815.00 feet; thence
2 North 63 degrees 19 minutes 20 seconds East
3 continuing along said South line a distance
4 of 145.00 feet to the Southwest corner of Lot
5 # 5 in the Hollows; thence leaving said South
6 line South 26 degrees 58 minutes 46 seconds
7 East a distance of 75.36 feet; thence South
8 89 degrees 22 minutes 48 seconds East a
9 distance of 289.48 feet to the point of
10 beginning containing 19.52 acres, more or
11 less, and subject to a 40 foot right-of-way
12 for Maplecrest Road over the Easterly portion
13 thereof, said right-of-way being described in
14 right-of-way widening petition contained in
15 Commissioner's Record Book 36 page 536.

16 SECTION 2. This Ordinance shall be in full force and
17 effect from and after its passage, approval by the Mayor and any
18 required legal publication thereof.

19 
20 Councilmember

21 APPROVED AS TO LEGALITY AND FORM:

22 
23 J. Timothy McAvily

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**C&
ED**

COMMUNITY & ECONOMIC DEVELOPMENT
MEMORANDUM

TO: City Council Members

FROM: Greg Purcell, Director, Community & Economic Development

DATE: June 22, 1989

SUBJECT: Repeal of the Annexation Ordinance for Blackhawk

BACKGROUND

On September 22, 1981 the Fort Wayne City Council adopted Ordinance X-04-81 annexing the Blackhawk area. A remonstrance was filed within the 60-day period containing the required signatures, and the case has been in litigation since that time. The area covered by the original annexation ordinance is shown in Figure 1.

In 1981, the Blackhawk area had approximately 1,551 dwelling units, and 5,050 population. Since that time, four new subdivisions, four condominium projects, and one apartment complex have been developed, creating approximately 1,800 new dwelling units. Given these rather dramatic changes in the last eight (8) years, the Fiscal Plan is out of date.

We are particularly concerned about the City's ability to provide adequate fire protection to the area south of State Boulevard. The new subdivisions in this area and concomitant traffic congestion have increased projected travel time for fire trucks from Station #14 significantly. Given the territory included in the 1981 ordinance, the City would probably have to build a new fire station to serve the area south of State. At this time, we do not believe this is economically feasible.

The length of time which has elapsed since the adoption of the annexation ordinance also presents some difficulty because of staff turnover. There is no one among the various service providers or the Division of Community and Economic Development who can speak authoritatively to the preparation of the original fiscal plan.

REPEAL BLACKHAWK ANNEXATION ORDINANCE X-04-81

Based on the information above, we recommend that the City Council repeal the 1981 Blackhawk Annexation Ordinance. An

ordinance to repeal X-04-81 is attached for your consideration.

At the same time Council is considering the repeal of the original Blackhawk Annexation, we want to make you aware that we are preparing an annexation plan to include the territory north of State Boulevard.

WALDEN/BLACKHAWK

A new annexation ordinance for the Walden/Blackhawk territory is being introduced at the same time the repeal of X-04-81 is being introduced. This ordinance will include all of the original territory north of State Boulevard (see Figure 2).

While we are introducing the ordinance at this time, it will be referred to the Plan Commission for review and recommendation. We will be conducting meetings with the residents in the Walden/Blackhawk territory in anticipation of an amicable annexation. The Fire Department will have no difficulty providing quality service to this territory, and we believe the City will be able to clearly meet the statutes required for annexation.

We anticipate completion of the Fiscal Plan for the Walden/Blackhawk territory in the very near future. Our schedule will place this annexation on the Plan Commission agenda in September, and we anticipate presenting the complete plan to Council in October.

I hope this information will be helpful in considering the repeal of X-04-81, and understanding that the staff of Community and Economic Development will be pursuing the original annexation intent established by the Council in 1981 in the most efficient and manageable form.

Should you have any questions concerning this matter, please do not hesitate to contact me.

gb

Attachments (2)

BILL NO. X-89-06-31 (as amended)

REPORT OF THE COMMITTEE ON ANNEXATION

DAVID C. LONG, CHAIRMAN
JANET G. BRADBURY, VICE CHAIRPERSON
HENRY, [REDACTED], BURNS EDMONDS

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) repealing Annexation
Ordinance #X-04-89, as amended by Annexation Ordinance No.
X-02-80 and Annexation Ordinance No. X-04-81 (Blackhawk
Annexation Territory")

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND
BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID

(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

David Long
Janet G. Bradbury
John Burns
Cletus R. Edmonds
P. Kennedy

DATED: 7-11-89.

Sandra E. Kennedy
City Clerk

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE _____

DEPARTMENT OF REQUESTING ORDINANCE _____ Community and Economic Development

SYNOPSIS OF ORDINANCE _____ Repeals the Blackhawk annexation ordinance (X-04-31)

V-89-06-31
as amended

EFFECT OF PASSAGE _____ The Blackhawk ordinance would be repealed and new annexation proceedings would be undertaken.

EFFECT OF NON-PASSAGE _____ The City would have to defend the annexation litigation and could lose the case, which would result in a two year delay in future annexation attempts.

MONEY INVOLVED (Direct Cost, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____ Annexation



THE CITY OF FORT WAYNE

July 17, 1989

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of July 20, 1989 and July 27, 1989, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-89-06-31 (as amended)
"Blackhawk Annexation Territory"

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK: ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 11th day of July, 1989, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-89-06-31 (as amended) Annexation Ordinance No. X-02-89 to-wit:

1 **BILL NO. X-89-06-31 (AS AMENDED)**

2 **ANNEXATION ORDINANCE NO. X- 02-89**

3 AN ORDINANCE repealing Annexation
4 Ordinance No. X-04-79, as amended by
5 Annexation Ordinance No. X-02-80 and
 Annexation Ordinance No. X-04-81
 ("Blackhawk Annexation Territory")

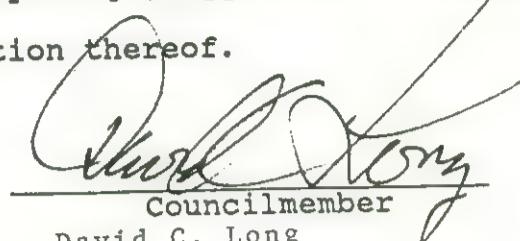
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
7 FORT WAYNE, INDIANA:

8 SECTION 1. That Annexation Ordinance No. X-04-79, as
9 amended by Annexation Ordinance No. X-02-80 and as further
10 amended by Annexation Ordinance No. X-04-81, is hereby
11 repealed. Said Ordinance, as amended as amended, proposed to
12 annex the following territory:

13 Commencing at the intersection of the
14 centerline of section 33, T 31, R 13 E and
15 the north right-of-way line of Hicksville
16 Road (East State Boulevard); thence
17 northeasterly along the north right-of-way
18 line of Hicksville Road (East State
19 Boulevard) this line also being the
20 present corporation limits, to the east
21 line of the northwest 1/4 of section 34, T
22 31 N, R 13 E; thence South along said east
23 line of northwest 1/4 of section 34
24 (assumed to be the northerly projection of
25 west line of lot #2 in Browning
26 Subdivision of Kercheval Reserve) to the
27 northwest corner of lot #2 in Browning
28 Subdivision of Kercheval Reserve as
29 recorded in deed book W, pages 387-388;
 thence continuing in a southerly direction
 along the west line of said lot #2 in Browning
 Subdivision to a point located
 262.68 ± feet north of the southwest
 corner of said lot #2 in Browning
 Subdivision, said point more particularly
 described as being the northwest corner of
 lot #77 of Lake Forest Extended, Section
 III as recorded in plat book 33, pages 19-
 20; thence east on a line parallel to and
 262.68 ± feet north of the south line of
 Lots 1 & 2 of said Browning Subdivision to
 the westerly right-of-way line of
 Maysville Road (Lake Avenue) thence
 southwesterly on the west right-of-way of
 Maysville Road to the west line of said

19 more or less, and subject to the right-of-way for Maplecrest Road over the
20 Easterly portion thereof, said right-of-way
21 being described in right-of-way
widening petition contained in
Commissioner's Record Book 36 page 536.

22 SECTION 2. This Ordinance shall be in full force and
23 effect from and after its passage, approval by the Mayor and
24 any required legal publication thereof.

25 
26 Councilmember
27 David C. Long

Read the third time in full and on motion by Long,
seconded by Talarico, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Nine

Bradbury, Burns, Edmonds, GiaQuinta, Henry,
Long, Redd, Schmidt, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATED: 7-11-89

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of
Fort Wayne, Indiana as Annexation Ordinance No. X-02-89, on the
11th day of July, 1989

ATTEST

SEAL

Sandra E. Kennedy
City Clerk

Charles B. Redd
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 12th day of July, 1989, at the hour of 1:30 P.M.,
E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 12th day of July, 1989,
at the hour of 3:30 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of
Annexation Ordinance No. X-02-89

passed by the Common Council on the 11th day of
July, 1989, and that said Ordinance was
duly signed and approved by the Mayor on the 12th day of
July, 1989, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 12th day of July, 1989.

SEAL


SANDRA E. KENNEDY, CITY CLERK

Fort Wayne Common Council
(Governmental Unit)To: The Journal-Gazette
P.O. Box 100
Fort Wayne, IN

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

1

Body -- number of lines

231

Tail -- number of lines

2

Total number of lines in notice

234

COMPUTATION OF CHARGES

234 lines, 1 columns wide equals 234 equivalent lines
at .495 cents per line \$ 115.82

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 117.83

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 2Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Nicole Allred*Date: July 27, 19 89

Title: _____

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

Sale ends 7-22-89.) ss:

Allen County)

)

Womem's shoes and hand-

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Personalty appeared before me, a notary public in and for said county and state, the

undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general

circulation printed and published in the English language in the (city) (town) of

Fort Wayne, IN in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for

two time(s), the dates of publication being as follows:

7/20, 27/89

*Nicole Allred*Subscribed and sworn to before me this 27th day of July, 19 89.

Shelley R. Larue
Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1990

great relief
nearly landing

Notice is hereby given that in 1989, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-89-06-31 (as amended) Annexation Ordinance No. X-02-89 to-wit:

BILL NO. X-89-06-31 (AS AMENDED)

ANNEXATION ORDINANCE NO. X-02-89
An Ordinance repealing Annexation Ordinance No. X-04-79, as amended by Annexation Ordinance No. X-02-80 and Annexation Ordinance No. X-04-81 ("Blackhawk Annexation Territory").

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Annexation Ordinance No. X-04-79, as amended by Annexation Ordinance No. X-02-80 and as further amended by Annexation Ordinance No. X-04-81, is hereby repealed. Said Ordinance, as amended as amended, proposed to annex the following territory:

Commencing at the intersection of the centerline of section 33, T 31, R 13 E and the north right-of-way line of Hicksville Road (East State Boulevard); thence northeasterly along the north right-of-way line of Hicksville Road (East State Boulevard), this line also being the present corporation limits, to the east line of the northwest $\frac{1}{4}$ of section 34, T 31 N, R 13 E; thence south along said east line of northwest $\frac{1}{4}$ of section 34 (assumed to be the northerly projection of west line of lot #2 in Browning Subdivision of Kercheval Reserve) to the northwest corner of lot #2 in Browning Subdivision of Kercheval Reserve as recorded in deed book W, pages 387-388; thence continuing in a southerly direction along the west line of said lot #2 in Browning Subdivision to a point located 262.68 plus or minus feet north of the southwest corner of said lot #2 in Browning Subdivision, said point more particularly described as being the northwest corner of lot #77 of Lake Forest Extended, Section III as recorded in plat book 33, pages 19-20; thence east on a line parallel to and 262.68 plus or minus feet north of the south line of Lots 1 & 2 of said Browning Subdivision to the westerly right-of-way line of Maysville Road (Lake Avenue) thence southwesterly on the west right-of-way of Maysville Road to the west line of said Kercheval Reserve; thence in an easterly direction along the north right-of-way line of North River Road to east line of Kercheval Reserve; thence north along the east line of Kercheval Reserve to the north line of Valley Meadows Section III; thence west along the north line of Valley Meadows Section III to the east right-of-way of Maysville Road; thence northeasterly along the east right-of-way line of the Maysville to the south right-of-way line of Hicksville Road (East State Street); thence west along the south right-of-way line of Hicksville Road to a projection of the west right-of-way line of the Lahmeyer Road; thence north along said west right-of-way line of Lahmeyer Road to the south right-of-way line of Trier Road; thence west along south right-of-way line of Trier Road to centerline of Section 33, T 31 N, R 13 E, thence south on said centerline Section 33 to intersection of north right-of-way line of Hicksville Road the point of beginning. An area of approximately 800 acres.

Excluding therefrom:

Part of the Northeast Quarter of Section 33 Township 31 North Range 13 East Allen County, Indiana more particularly described as follows:

Beginning at the Southwest corner of the Northeast Quarter of said Section 33 said point being in the centerline of State Street; thence north 01 degrees 00 minutes 44 seconds east (assumed) along the west line of said Northeast Quarter a distance of 1,398.00 feet; thence northeasterly 40.38 feet along a curve deflecting to the right having a radius of 250 feet not tangent to the last course being subtended by a chord having a length of 40.33 feet and a bearing of north 47 degrees 35 minutes 56 seconds east; thence south 20 degrees 19 minutes 06 seconds east on a line not tangent to the last described curve course a distance of 179.86 feet; thence south 55 degrees 30 minutes 34 seconds east a distance of 151.26 feet; thence south 18 degrees 50 minutes 45 seconds east a distance of 194.66 feet; thence south 53 degrees 42 minutes 32 seconds west a distance of 191.95 feet; thence south 25 degrees 02 minutes 41 seconds east a distance of 244.70 feet; thence south 64 degrees 40 minutes 30 seconds east a distance of 284.41 feet; thence north 85 degrees 44 minutes 04 seconds east a distance of 178.14 feet; thence north 60 degrees 34 minutes 35 seconds east a distance of 262.24 feet; thence south 36 degrees 54 minutes 22 seconds east a distance of 205.21 feet; thence south 65 degrees 10 minutes 34 seconds west a distance of 28.25 feet; thence south 26 degrees 11 minutes 16 seconds west a distance of 131.58 feet; thence south 29 degrees 55 minutes 08 seconds west a distance of 338.12 feet; thence south 01 degrees 07 minutes 22 seconds west a distance of 30.99 feet to a point on the centerline of State Street; thence along the centerline of State Street by the following described courses; south 78 degrees 45 minutes 54 seconds west a distance of 120.60 feet; thence southwesterly 296.00 feet along a curve having a radius of 1,388.23 feet deflecting to the right and tangent to the last described course being subtended by a chord having a length of 295.44 feet and a bearing of south 84 degrees 52 minutes 24 seconds west; thence north 89 degrees 01 minutes 06 seconds west along a line tangent to the last described curve course a distance of 374.09 feet to the point of beginning, being subject to public road right-of-way of State Street and containing 15.50 acres, more or less.

ALSO EXCLUDING THEREFROM:

In the East Half of the Northeast Quarter of Section 33, T 31 N, R 13 E, Allen County Indiana.

Part of the Northeast Quarter of Section 33, T 31 N, R 13 E, Allen County, Indiana, more particularly described as follows:

Commencing at the northeast corner of the northeast quarter of Section 33, T 31 N, R 13 E, Allen County, Indiana; thence south 00 degrees 46 minutes 00 seconds west along the East line of the Northeast quarter of said Section 33 a distance of 1,229.0 feet to the point of beginning; thence continuing south 00 degrees 46 minutes 00 seconds west along said east line a distance of 378.0 feet to the northeast corner of a parcel of land conveyed to Gilbert L. White and Paulene A. White husband and wife from Arlington Investment Corp., by warranty deed dated April 15, 1971, and recorded as document #71 5913 in the Office of the Recorder of Allen County; thence South 87 degrees 57 minutes 47 seconds west (south 88 degrees 02 minutes West deed) along the Northerly line of the White Parcel a distance of 336.0 feet; thence south 00 degrees 46 minutes 00 seconds West along the West line of the White Parcel and the Southerly extension thereof a distance of 216.0 feet to a point on the Northerly line of Lehman Homestead Addition, a subdivision in the aforementioned Section, Township, and Range and recorded in plat book 21 page 27 Office of the Recorder of Allen County, Indiana; thence South 87 degrees 57 minutes 47 seconds West along said northerly line and the westerly extension thereof a distance of 937.30 feet to a point on the east line of an Indiana and Michigan Electric Company right-of-way, said east right-of-way line being situated 60 feet east (by right angle measurement) of and parallel with the west line of the east half of the northeast quarter of Section 33 aforementioned; thence continuing south 01 degrees 04 minutes 30 seconds west along said right-of-way line a distance of 94.26 feet; thence south 67 degrees 37 minutes 34 seconds west a distance of 209.59 feet; thence south 80 degrees 03 minutes 41 seconds west a distance of 70.0 feet; thence south 86 degrees 00 minutes 34 seconds west a distance of 71.66 feet; thence south 65 degrees 10 minutes 40 seconds west a distance of 43.75 feet to the easterly most corner of the property conveyed from North Eastern Enterprises, Inc., to Hardware Wholesalers, Inc., as recorded in document #80 14066 in the Office of the Recorder of Allen County; thence North 36 degrees 54 minutes 22 seconds west along the northeasterly side of said property a distance of 205.21 feet to the southeast corner of Block "B" in the Village of Buckingham Section I as recorded in document #80 014047 in the Office of the Recorder of Allen County; thence North 52 degrees 37 minutes 36 seconds east a distance of 385.03 feet; thence south 88 degrees 55 minutes 30 seconds east a distance of 190.00 feet to the east line of said Indiana and Michigan Electric Co. right-of-way; thence north 01

Board of Accounts

**Council
Unit**

County, Indiana

General Form No. 99P (Revised 1987)

The Journal-Gazette

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

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or allowing all just credits, and that no part of the

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131.58 feet; thence south 29 degrees 55 minutes 08 seconds west a distance of 338.12 feet; thence south 31 degrees 07 minutes 22 seconds west a distance of 10.99 feet to a point on the centerline of State Street; hence along the centerline of State Street by the following described course; south 78 degrees 45 minutes 54 seconds west a distance of 120.60 feet; hence southwesterly 296.00 feet along a curve having a radius of 1,388.23 feet deflecting to the right and tangent to the last described course being subtended by a chord having a length of 295.44 feet and a bearing of south 84 degrees 52 minutes 24 seconds west; thence north 89 degrees 01 minutes 06 seconds west along a line tangent to the last described curve course a distance of 374.09 feet to the point of beginning, being subject to public road right-of-way of State Street and containing 15.50 acres, more or less.

ALSO EXCLUDING THEREFROM:

In the East Half of the Northeast Quarter of Section 33, T 31 N, R 13 E, Allen County Indiana.

Part of the Northeast Quarter of Section 33, T 31 N, R 13 E, Allen County, Indiana, more particularly described as follows:

Commencing at the northeast corner of the northeast quarter of Section 33, T 31 N, R 13 E, Allen County, Indiana; thence south 00 degrees 46 minutes 00 seconds west along the East line of the Northeast quarter of said Section 33 a distance of 1,229.0 feet to the point of beginning; thence continuing south 00 degrees 46 minutes 00 seconds west along said east line a distance of 378.0 feet to the northeast corner of a parcel of land conveyed to Gilbert L. White and Paulene A. White husband and wife from Arlington Investment Corp., by warranty deed dated April 15, 1971, and recorded as document #71 5913 in the Office of the Recorder of Allen County; thence South 87 degrees 57 minutes 47 seconds west (south 88 degrees 02 minutes West deed) along the Northerly line of the White Parcel a distance of 336.0 feet; thence south 00 degrees 46 minutes 00 seconds West along the West line of the White Parcel and the Southerly extension thereof a distance of 216.0 feet to a point on the Northerly line of Lehman Homestead Addition, a subdivision in the aforementioned Section, Township, and Range and recorded in plat book 21 page 27 Office of the Recorder of Allen County, Indiana; thence South 87 degrees 57 minutes 47 seconds West along said northerly line and the westerly extension thereof a distance of 937.30 feet to a point on the east line of an Indiana and Michigan Electric Company right-of-way, said east right-of-way line being situated 60 feet east (by right angle measurement) of and parallel with the west line of the east half of the northeast quarter of Section 33 aforementioned; thence continuing south 01 degrees 04 minutes 30 seconds west along said right-of-way line a distance of 94.26 feet; thence south 67 degrees 37 minutes 34 seconds west a distance of 209.59 feet; thence south 80 degrees 03 minutes 41 seconds west a distance of 70.0 feet; thence south 66 degrees 00 minutes 34 seconds west a distance of 71.66 feet; thence south 65 degrees 10 minutes 40 seconds west a distance of 43.75 feet to the easterly most corner of the property conveyed from North Eastern Enterprises, Inc., to Hardware Wholesalers, Inc., as recorded in document #80 14066 in the Office of the Recorder of Allen County; thence North 52 degrees 37 minutes 36 seconds east a distance of 385.03 feet; thence south 88 degrees 55 minutes 30 seconds east a distance of 190.00 feet to the east line of said Indiana and Michigan Electric Co., right-of-way; thence north 01 degrees 04 minutes 30 seconds east along said east right-of-way line 495 feet to the southwest corner of Lot #18 in the Hollows Section 1 as recorded in document #78 17214 in the Office of the Recorder of Allen County; thence south 89 degrees 13 minutes 00 seconds east along the south line of the Hollows a distance of 815.00 feet; thence north 63 degrees 19 minutes 20 seconds east continuing along said south line a distance of 145.00 feet to the southwest corner of Lot #5 in the Hollows; thence leaving said south line south 26 degrees 58 minutes 46 seconds east a distance of 75.36 feet; thence south 89 degrees 22 minutes 48 seconds east a distance of 289.48 feet to the point of beginning containing 19.52 acres, more or less, and subject to a 40 foot right-of-way for Maplecrest Road over the easterly portion thereof, said right-of-way being described in right-of-way widening petition contained in Commissioner's Record Book 36 page 536.

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and any required legal publication thereof.

David C. Long

Councilmember

Read the third time in full and on motion by Long, seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine; Bradbury, Burns, Edmonds, Gia, Quinta, Henry, Long, Redd, Schmidt, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

Dated: 7-11-89

Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-02-89, on the 11th day of July, 1989.

ATTEST: Sandra E. Kennedy

City Clerk

SEAL: Charles B. Redd

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1989, at the hour of 1:30 P.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 12th day of July, 1989, at the hour of 3:30 P.M., E.S.T.

Paul Helmke

Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-89, passed by the Common Council on the 11th day of July, 1989, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of July, 1989, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of July, 1989.

Sandra E. Kennedy, City Clerk

7-20-27

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and penalties of Chapter 155, Acts 1953,

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Nicole Allred

, 19 89

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/ she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s), the dates of publication being as follows:

7/20, 27/89

Nicole Allred

Subscribed and sworn to before me this 27th day of July 1989.

Shelley R. Larue
Notary Public Whitley County, IN

SHELLEY R. LARUE

My commission expires: March 3, 1990

989, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill
lo. X-89-06-31 (as amended) Annexation Ordinance
lo. X-02-89 to-wit:

BILL NO. X-89-06-31 (AS AMENDED)

ANNEXATION ORDINANCE NO. X-02-89
An Ordinance repealing Annexation Ordinance No. -04-79, as amended by Annexation Ordinance No. -02-80, and Annexation Ordinance No. X-04-81 "Blackhawk Annexation Territory".

BE IT ORDAINED BY THE COMMON COUNCIL OF
HE CITY OF FORT WAYNE, INDIANA:

Section 1. That Annexation Ordinance No. X-04-79, as amended by Annexation Ordinance No. X-02-80 and as further amended by Annexation Ordinance No. -04-81, is hereby repealed. Said Ordinance, as amended as amended, proposed to annex the following territory:

Commencing at the intersection of the centerline of section 33, T 31, R 13 E and the north right-of-way line of Hicksville Road (East State Boulevard); thence northeasterly along the north right-of-way line of Hicksville Road (East State Boulevard); this line also being the present corporation limits, to the east line of the northwest 1/4 of section 34, T 31 N, R 13 E; thence south along said east line of northwest 1/4 of section 34, assumed to be the northerly projection of west line of lot #2 in Browning Subdivision of Kercheval Reserve) to the northwest corner of lot #2 in Browning Subdivision of Kercheval Reserve as recorded in deed book W, pages 387-388; thence continuing in a westerly direction along the west line of said lot #2 in Browning Subdivision to a point located 262.68 plus or minus feet north of the southwest corner of said lot #2 in Browning Subdivision, said point more particularly described as being the northwest corner of lot #77 of Lake Forest Extended, Section III as recorded in plat book 33, pages 19-20; thence east on a line parallel to and 262.68 plus or minus feet north of the south line of Lots 1 & 2 of said Browning Subdivision to the westerly right-of-way line of Hicksville Road (Lake Avenue) thence southwesterly on the west right-of-way of Hicksville Road to the west of said Kercheval Reserve; thence in an easterly direction along the north right-of-way line of North River Road to east line of Kercheval Reserve; thence south along the east line of Kercheval Reserve to the south line of Valley Meadows Section III; thence west along the north line of Valley Meadows Section III to the east right-of-way of Maysville Road; thence northeasterly along the east right-of-way line of the Maysville to the south right-of-way line of Hicksville Road (East State Street); thence west along the south right-of-way line of Hicksville Road to a projection of the west right-of-way line of the Lahmeyer Road; thence north along said west right-of-way line of Lahmeyer Road to the south right-of-way line of Trier Road; thence west along south right-of-way line of Trier Road to centerline of Section 33, T 31 N, R 13 E, thence south on said centerline Section 33 to intersection of north right-of-way line of Hicksville Road the point of beginning. An area of approximately 800 acres.

Excluding therefrom:

Part of the Northeast Quarter of Section 33, Township 31 North Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of the Northeast Quarter of said Section 33 said point being in the centerline of State Street; thence north 01 degrees 00 minutes 44 seconds east (assumed) along the west line of said Northeast Quarter a distance of 1,398.00 feet; thence northeasterly 40.38 feet along a curve deflecting to the right having a radius of 250 feet not tangent to the last course being subtended by a chord having a length of 40.33 feet and a bearing of north 47 degrees 35 minutes 56 seconds east; thence south 20 degrees 19 minutes 06 seconds east on a line not tangent to the last described curve course a distance of 179.86 feet; thence south 55 degrees 30 minutes 34 seconds east a distance of 151.26 feet; thence south 3 degrees 50 minutes 45 seconds east a distance of 34.66 feet; thence south 53 degrees 42 minutes 32 seconds west a distance of 191.95 feet; thence south 1 degrees 02 minutes 41 seconds east a distance of 14.70 feet; thence south 64 degrees 40 minutes 40 seconds east a distance of 284.41 feet; thence north 1 degrees 44 minutes 04 seconds east a distance of 8.14 feet; thence north 60 degrees 34 minutes 35 seconds east a distance of 262.24 feet; thence south 1 degrees 54 minutes 22 seconds east a distance of 15.21 feet; thence south 65 degrees 10 minutes 34 seconds west a distance of 28.25 feet; thence south 26 degrees 11 minutes 16 seconds west a distance of 31.58 feet; thence south 29 degrees 55 minutes 08 seconds west a distance of 338.12 feet; thence south 1 degrees 07 minutes 22 seconds west a distance of 0.99 feet to a point on the centerline of State Street; thence along the centerline of State Street by the following described courses: south 78 degrees 45 minutes 54 seconds west a distance of 120.60 feet; thence southwesterly 296.00 feet along a curve having a radius of 1,388.23 feet deflecting to the right and tangent to the last described course being subtended by a chord having a length of 295.44 feet and a bearing of south 84 degrees 52 minutes 24 seconds west; thence north 89 degrees 01 minutes 06 seconds west along a line tangent to the last described curve course a distance of 374.09 feet to the point of beginning, being subject to public road right-of-way of State Street and containing 15.50 acres, more or less.

ALSO EXCLUDING THEREFROM:

In the East Half of the Northeast Quarter of Section 3, T 31 N, R 13 E, Allen County, Indiana.

Part of the Northeast Quarter of Section 33, T 31 N, R 13 E, Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of the northeast quarter of Section 33, T 31 N, R 13 E, Allen County, Indiana; thence south 00 degrees 46 minutes 00 seconds west along the East line of the Northeast Quarter of said Section 33 a distance of 1,229.0 feet to the point of beginning; thence continuing south 00 degrees 46 minutes 00 seconds west along said east line a distance of 378.0 feet to the northeast corner of a parcel of land conveyed to Gilbert L. White and Laulene A. White husband and wife from Arlington Investment Corp., by warranty deed dated April 15, 1971, and recorded as document #71-5913 in the Office of the Recorder of Allen County; thence South 7 degrees 57 minutes 47 seconds west (south 88 degrees 02 minutes West dead) along the Northerly line of the White Parcel a distance of 336.0 feet; thence south 00 degrees 46 minutes 00 seconds West along the West line of the White Parcel and the Southerly extension thereof a distance of 216.0 feet to a point on the Northerly line of Lehman Homestead Addition, a subdivision in the aforementioned Section, Township, and Range and recorded in plat book 21 page 27 Office of the Recorder of Allen County, Indiana; thence South 87 degrees 57 minutes 47 seconds West along the northerly line and the westerly extension thereof a distance of 937.30 feet to a point on the east line of an Indiana and Michigan Electric Company right-of-way, said east right-of-way line being situated 60 feet east (by right angle measurement) of and parallel with the west line of the east half of the northeast quarter of Section 33 aforementioned; thence continuing south 01 degrees 04 minutes 30 seconds west along said right-of-way line a distance of 94.26 feet; thence south 07 degrees 37 minutes 34 seconds west a distance of 209.59 feet; thence south 80 degrees 03 minutes 41 seconds west a distance of 70.0 feet; thence south 66 degrees 00 minutes 34 seconds west a distance of 1.66 feet; thence south 65 degrees 10 minutes 40 seconds west a distance of 43.75 feet to the easterly most corner of the property conveyed from North Eastern Enterprises, Inc., to Hardware Wholesalers, Inc., as recorded in document #80-14066 in the Office of the Recorder of Allen County; thence North 36 degrees 54 minutes 22 seconds west along the northeasterly side of said property a distance of 105.21 feet to the southeast corner of Block "B" in the Village of Buckingham Section I as recorded in document #80-014047 in the Office of the Recorder of Allen County; thence North 52 degrees 37 minutes 36 seconds east a distance of 385.03 feet; thence south 18 degrees 55 minutes 30 seconds east a distance of 90.00 feet to the east line of said Indiana and Michigan Electric Co. right-of-way; thence north 01

Board of Accounts

Council

Unit

County, Indiana

General Form No. 99P (Revised 1987)

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

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Dale A. M.

Init) County, Indiana

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columns wide equals 234 equivalent lines

\$ 115.82

ces containing rule or tabular work
int)

publication (\$1.00 for each proof in excess of two)

2.00

LAIM

COST

2.5 ems

s and penalties of Chapter 155, Acts 1953,

foregoing account is just and correct, that the amount
ter allowing all just credits, and that no part of the

Nicole Allred

, 19⁸⁹

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the
undersigned Nicole Allred who, being duly sworn, says that he/
she is Clerk of the The News-Sentinel newspaper of general
circulation printed and published in the English language in the (city) (town) of
Fort Wayne, IN in state and county aforesaid, and that the printed matter
attached hereto is a true copy, which was duly published in said paper for
two time(s), the dates of publication being as follows:

7/20, 27/89

Nicole Allred

Subscribed and sworn to before me this 27th day of July, 89.

Shelley R. Larue
Notary Public Whitley County, I
SHELLEY R. LARUE

My commission expires: March 3, 1990

ees 19 minutes 20 seconds east on a line con-
gent to the last described curve course a distance
79.86 feet; thence south 55 degrees 30 minutes 34
onds east a distance of 151.26 feet; thence south
degrees 50 minutes 45 seconds east a distance of
.66 feet; thence south 53 degrees 42 minutes 32
onds west a distance of 191.95 feet; thence south
degrees 02 minutes 41 seconds east a distance of
.70 feet; thence south 64 degrees 40 minutes 30
onds east a distance of 284.41 feet; thence north
degrees 44 minutes 04 seconds east a distance of
.14 feet; thence north 60 degrees 34 minutes 35
onds east a distance of 262.24 feet; thence south
degrees 54 minutes 22 seconds east a distance of
.21 feet; thence south 65 degrees 10 minutes 34
onds west a distance of 28.25 feet; thence south
rees 11 minutes 16 seconds west a distance of
.58 feet; thence south 29 degrees 55 minutes 08
onds west a distance of 338.12 feet; thence south
degrees 07 minutes 22 seconds west a distance of
99 feet to a point on the centerline of State Street;
nce along the centerline of State Street by the
owing described courses; south 78 degrees 45
utes 54 seconds west a distance of 120.80 feet;
nce southwesterly 296.00 feet along a curve having
adius of 1,388.23 feet deflecting to the right and
gent to the last described course being subtended
a chord having a length of 295.44 feet and a bearing
south 84 degrees 52 minutes 24 seconds west;
nce north 89 degrees 01 minutes 06 seconds west
ng a line tangent to the last described curve course
istance of 374.09 feet to the point of beginning,
ng subject to public road right-of-way of State
eet and containing 15.50 acres, more or less.

ALSO EXCLUDING THEREFROM:
n the East Half of the Northeast Quarter of Section
T 31 N, R 13 E, Allen County Indiana.

Part of the Northeast Quarter of Section 33, T 31 N,

13 E, Allen County, Indiana, more particularly
cribed as follows:

Commencing at the northeast corner of the
theast quarter of Section 33, T 31 N, R 13 E, Allen
County, Indiana; thence south 00 degrees 46 minutes
seconds west along the East line of the Northeast
arter of said Section 33 a distance of 1,229.0 feet to
a point of beginning; thence continuing south 00
degrees 57 minutes 00 seconds west said east
a distance of 378.0 feet to the northeast corner of a
el of land conveyed to Gilbert L. White and
ulene A. White husband and wife from Arlington
estment Corp., by warranty deed dated April 15,
71, and recorded as document #71 5913 in the
ice of the Recorder of Allen County; thence South
degrees 57 minutes 47 seconds west (south 88
green 02 minutes West deed) along the Northernly
e of the White Parcel a distance of 336.0 feet; thence
uth 00 degrees 46 minutes 00 seconds West along
e West line of the White Parcel and the Southerly
ension thereof a distance of 216.0 feet to a point on
e Northernly line of Lehman Homestead Addition, a
division in the aforementioned Section Township,
d Range and recorded in plat book 21 page 27
ice of the Recorder of Allen County, Indiana; thence South
degrees 57 minutes 47 seconds West along
id northerly line and the westerly extension thereof a
stance of 937.30 feet to a point on the east line of an
dian and Michigan Electric Company right-of-way,
id east right-of-way line being situated 60 feet east
y right angle measurement) of and parallel with the
est line of the east half of the northeast quarter of
ection 33 aforementioned; thence continuing south
1 degrees 04 minutes 30 seconds west along said
ight-of-way line a distance of 94.26 feet; thence south
7 degrees 37 minutes 34 seconds west a distance of
9.59 feet; thence south 80 degrees 03 minutes 41
conds west a distance of 70.0 feet; thence south 66
degrees 00 minutes 34 seconds west a distance of
1.66 feet; thence south 65 degrees 10 minutes 40
conds west a distance of 43.75 feet to the easterly
ost corner of the property conveyed from North
ern Enterprises, Inc., to Hardware Wholesalers,
c., as recorded in document #80 14066 in the Office
e of the Recorder of Allen County; thence North 36
degrees 54 minutes 22 seconds west along the
xtheasterly side of said property a distance of
5.21 feet to the southeast corner of Block "B" in the
llege of Buckingham Section 1 as recorded in
ocument #80 014047 in the Office of the Recorder of
len County; thence North 52 degrees 37 minutes 36
conds east a distance of 385.03 feet; thence south
3 degrees 55 minutes 30 seconds east a distance of
0.00 feet to the east line of said Indiana and
ichigan Electric Co., right-of-way; thence north 01
degrees 04 minutes 30 seconds east along said east
ight-of-way line 495 feet to the southwest corner of
#18 in the Hollows Section 1 as recorded in
ocument #78 17214 in the Office of the Recorder of
len County; thence south 89 degrees 13 minutes 00
conds east along the south line of the Hollows a
stance of 815.00 feet; thence north 63 degrees 19
utes 20 seconds east continuing along said south
e a distance of 145.00 feet to the southwest corner of
#5 in the Hollows; thence leaving said south line
outh 26 degrees 58 minutes 46 seconds east a
stance of 75.36 feet; thence south 89 degrees 22
utes 48 seconds east a distance of 289.48 feet to
e point of beginning containing 19.52 acres, more or
ss, and subject to a 40 foot right-of-way for
applecrest Road over the easterly portion thereof,
id right-of-way being described in right-of-way
dening petition contained in Commissioner's Record
ool 36 page 536.

Section 2. This Ordinance shall be in full force and
fect from and after its passage, approval by the
ayor and any required legal publication thereof.

David C. Long

Councilmember

Read the third time in full and on motion by Long,
econded by Talarico and duly adopted, placed on its
assage PASSED BY the following vote:

AYES: Nine: Bradbury, Burns, Edmonds, Gi-

unta, Henry, Long, Redd, Schmidt, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

Dated: 7-11-89

Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the
ity of Fort Wayne, Indiana as Annexation Ordinance
o. X-02-89, on the 11th day of July, 1989.

ATTEST: Sandra E. Kennedy

City Clerk

SEAL: Charles B. Redd

Presiding Officer

Presented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 12th day of July, 1989, at the
our of 1:30 P.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 12th day of July,
89, at the hour of 3:30 P.M., E.S.T.

Paul Helmke

Mayor

I, The Clerk of the City of Fort Wayne, Indiana do
hereby certify that the above and foregoing is a full,
true and complete copy of Annexation Ordinance No.
-02-89, passed by the Common Council on the 11th
ay of July, 1989, and that said Ordinance was duly
igned and approved by the Mayor on the 12th day of
uly, 1989, and now remains on file and on record in my
ffice.

WITNESS my hand, and the official seal of the City of
Fort Wayne, Indiana, this 12th day of July, 1989.

Sandra E. Kennedy, City Clerk

7-20-27